Single Bench

COURT FEE TEN RUPEES INDIA

CANCELLED

3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

Miscellaneous Civil Case No. 32 of 2007

APPLICANT/: (Appellant)/ (Insurer)

National Insurance Co. Ltd.,
Through the Assistant Manager
National Insurance Co. Ltd.,
B-1, Taha Complex, 1st Floor,
Ring Rod, Priyadarshini Nagar,
Bilaspur, Chhattisgarh.

Versus

NON-APPLICANTS/: (Respondents)

1. Neeraj Singh,
S/o Almant Singh.

2. Lal Ashok Singh,
S/o Chandrabhan Singh,
Aged about 52 years.

3. Ram Kumar,
S/o Lalluram Kewat.

Non-applicants No.1 to 3 above all residents of Chicholo, Tehsil: Khairagarh, District: Rajnandgaon, Chhattisgarh.

4. Smt. Shivvati,
Wife of Budhram,
Aged about 50 years.

5. Smt. Radhiya Bai @ Ganga Bai,
Wife of Santram Kevat,
Aged about 19 years.

6. Budhram, S/o Dasharu Kevat,
Aged about 55 years (died).

Non-applicants No.4 to 6 above all residents of Village: Amalidih Khurd, Police Station & Tehsil: Khairagarh, District: Rajnandgaon, Chhattisgarh.

P.R. No. 8/4/07
Presented by Shri Gangaram Sahu
dated 04/1/07

30/3/01/07

6A. Shyamlal, S/o Late Budhram,
Aged about 36 years,
R/o Village: Amnidih,
Tehsil: Khairagarh,
District: Rajnandgaon,
Chhattisgarh.

6B. Basant, S/o Late Budhram,
Aged about 22 years,
R/o Ravanpara, Bhilai,
District: Durg, Chhattisgarh.

6C. Santuram, S/o Late Budhram,
Aged about 29 years.

6D. Radheshyam,
S/o Late Budhram,
Aged about 39 years.

Non-applicants No.6C & 6D
above both residents of Rama
Jhhopara, Police Station:
Singledipty, Nagpur,
Maharashtra.

6E. Sambati Bai,
Wife of Bhikhra Kewat,
Aged about 32 years,
R/o Village: Chichola,
Tehsil: Khairagarh,
District: Rajnandgaon,
Chhattisgarh.

APPLICATION FOR RECALL OF ORDER DATED 13.09.2006 AND RESTORATION OF MISC. APPEAL (C) NO.425/2006 (NATIONAL INSURANCE CO. LTD. VS. NEERAJ SINGH & OTHERS) DISMISSED FOR NON-COMPLIANCE OF ORDER DATED 13.09.2006 PASSED BY THIS HON'BLE COURT

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

29

मामला क्रमांक M.C.C...32.... **सन् 2007**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	15.02.2007 Shri Sourabh Sharma, counsel for the applicant. The applicant has preferred this application for restoration of Misc. Appeal (C) No. 425/06 which was dismissed in compliance of the order dated 13.9.2006 as on that date the applicant/appellant was allowed two weeks' time to remove the default, failing which the appeal was made liable to be dismissed without reference to the Bench. Learned counsel for the applicant submits that the matter was listed on default as the order passed under Section 170 of the Motor Vehicle Act (henceforth 'the Act') was not filed by the applicant/appellant. He further submits that since on the application of the applicant/appellant under Section 170 of the Act filed before the learned Claims Tribunal no order was passed, the applicant/appellant could not file the certified copy of the same. He further submits that the applicant/appellant had filed an application on 11.10.2006 praying for exemption from filing certified copy of the order passed under Section 170 of the Act on the grounds stated above, however, the appeal was dismissed in compliance of the order dated 13.9.2006.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C.32 **सन् 2007**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Taking into consideration the overall circumstances, application for restoration of Misc. Appeal (C) No. 425/06, is allowed for the reasons indicated therein. The office is directed to restore the appeal to its original number. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.